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**Attorneys for Plaintiffs:**

ESTATE OF ANDY LOPEZ, by and through successors in interest, RODRIGO LOPEZ and SUJAY CRUZ, and RODRIGO LOPEZ and SUJAY CRUZ, individually.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ESTATE OF ANDY LOPEZ, et al.,

Plaintiff,

VS.

ERICK GELHAUS, et al,

### Defendants.

**Case Number: 13-CV-05124-PJH**

**STIPULATION OF THE PARTIES  
TO ATTEND PRIVATE  
MEDIATION IN LIEU OF SECOND  
SETTLEMENT CONFERENCE;  
[PROPOSED] ORDER**

THE PARTIES, THROUGH THEIR RESPECTIVE COUNSEL, AGREE AND  
STIPULATE AS FOLLOWS:

1. The parties and counsel attended a Settlement Conference with Magistrate Judge Ryu on May 5, 2015, pursuant to Court Order.

- 1       2. At the conclusion of the Settlement Conference, Magistrate Judge Ryu set a further
- 2       Settlement Conference for October 16, 2015, at 11:00 a.m., but did advise counsel
- 3       that in the event the parties made alternative arrangements for a private mediation,
- 4       that the parties should advise the court and that the same would suffice in lieu of a
- 5       further settlement conference;
- 6       3. That disclosure of the parties' experts will take place on October 16, 2015;
- 7       4. That the parties have met and conferred and agree to participate in a private
- 8       mediation in lieu of a Further Settlement Conference after disclosure of expert
- 9       witnesses;
- 10      5. That the parties believe that participation in private mediation after the disclosure
- 11      of expert witnesses will likely prove more productive;
- 12      6. That the parties have agreed to use Jerry Spolter (JAMS) as a mediator and have
- 13      tentatively scheduled an all day mediation date for either November 23, 24 or
- 14      December 1, 2015 (all dates are clear for the mediator), pending approval by this
- 15      Court;
- 16      7. Based on the foregoing, the parties respectfully request the Court vacate the current
- 17      Further Settlement Conference date of October 16, 2015, and issue an order that
- 18      the parties may attend private mediation with Jerry Spolter (JAMS) in lieu of a
- 19      further settlement conference with Magistrate Judge Ryu, with the same to be
- 20      concluded no later than December 1, 2015.

22  
23       Dated: October 2, 2015

CASILLAS, MORENO & ASSOCIATES

24       By:     \_\_\_\_/*s/ Arnoldo Casillas*\_\_\_\_\_

25                   ARNOLDO CASILLAS

26                   CHRISTIAN F. PEREIRA

27                   Attorneys for Plaintiffs

1 Dated: October 2, 2015

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4 GEARY, SHEA, O'DONNELL, GRATTAN &  
5 MITCHELL, P.C.  
6  
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9 By /s/ Steven C. Mitchell  
10 STEVEN C. MITCHELL  
11 Attorneys for Defendants  
12 ERICK GELHAUS and COUNTY OF  
13 SONOMA  
14  
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16 **ORDER OF THE COURT**

17 After review of the parties' Stipulation, and good cause appearing, the court hereby  
18 orders as follows:

19 The Second Settlement Conference currently set for October 16 at 2:00 pm is  
20 vacated and the parties are ordered to complete private mediation in lieu of the same no  
21 later than December 1, 2015.

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: October 5, 2015

